

REGULAR CITY COUNCIL MEETING
JUNE 25, 1990

PRESENT

Don Dafoe	Mayor
Wesley J. Bloomfield	Council Member
Gayle Bunker	Council Member
Robert Dekker	Council Member
Robert Droubay	Council Member

ABSENT

Rex Harris	Council Member
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OTHERS PRESENT

Dorothy Jeffery	City Recorder
Richard Waddingham	City Attorney
Neil Forster	Public Works Director
Bryce Ashby	Delta Fire Chief
Lana Moon	Millard County Resident
Rita Byrd	Public Works Secretary

Mayor Dafoe called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Dafoe stated that notice of the meeting time, place and agenda was posted at the principal office of the governing body located at 76 North 200 West and was provided to the Millard County Chronicle/Progress, the local radio station, KNAK, and to each member of the City Council by personal delivery two days prior to the meeting.

MINUTES

The proposed minutes of a Public Hearing held June 11, 1990, were presented for consideration and approval. The Council reviewed the minutes briefly after which Council Member Robert Droubay MOVED that the minutes be approved as presented. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The proposed minutes of a Regular City Council Meeting held June 11, 1990 were presented for consideration and approval. The Council reviewed the minutes briefly and proposed corrections. Council Member Robert Droubay MOVED that the minutes be approved as corrected. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a

vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a list of which had been given to them two days prior to the meeting. Following a brief discussion of the accounts payable, Council Member Wesley Bloomfield MOVED that the accounts payable be approved for payment as listed in the amount of \$40,462.43. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

OLD BUSINESS

MAYOR DON DAFOE: CLEAN-UP OF WHITE SAGE APARTMENT COMPLEX

Mayor Dafoe said that he received a telephone call from Al Pitzer, Intermountain Power Agency (IPA), and Mr. Pitzer said that IPA had not yet received a Bond or Letter of Credit from Tumurru Trades. Mr. Pitzer was told that Mr. Holmes had the letter in hand and that he would FAX it to Mr. Pitzer.

Following discussion, the Council concurred that if a bond is not in place with IPA, Delta City is not interested in considering a proposal from Richard Holme for the White Sage Apartment property. However, if a bond is in place, a documented development proposal from Mr. Holm will be required. This item will be placed on the next Regular City Council agenda.

MAYOR DON DAFOE: COMPUTER PURCHASE & SOFTWARE AGREEMENT

Mayor Dafoe presented a License Agreement between QualiSoft, Inc., and Delta City for use of the Qualisoft Utility Billing System. He also presented an Hourly Service Contract Agreement between Qualisoft, Inc., and Delta City for Delta City to retain the services of Qualisoft on an hourly basis.

At the request of Mayor Dafoe, Rita Byrd, Billing Clerk, explained the Qualisoft Utility Billing Software Package.

Mayor Dafoe and the Council Members reviewed the agreements in detail and proposed corrections; specifically, "payment is due upon receipt of invoice and shall be delivered to the offices of Qualisoft not later than twenty (20) calendar days," rather than 10 calendar days, "from receipt of invoice".

Following discussion of the two agreements, Council Member Wesley Bloomfield MOVED to approve a License Agreement and an Hourly Service Contract Agreement between Qualisoft, Inc., and Delta City as corrected. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions

regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Wesley Bloomfield	Yes
Council Member Gayle Bunker	Yes
Council Member Robert Dekker	Yes
Council Member Robert Droubay	Yes
Council Member Rex Harris	Absent

Mayor Dafoe then signed the two agreements and they were attested by City Recorder Dorothy Jeffery.

Mayor Dafoe presented an AS/400 and S/38 End User Agreement for Council's consideration.

Mayor Dafoe then explained that City Recorder Dorothy Jeffery purchased a Personal Computer from IBM through the City for her home/personal use, which has been paid for by her.

Following review and discussion, Council Member Robert Droubay MOVED to approve the agreement between Delta City and IBM, also Dorothy Jeffery's purchase of a Personal Computer. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

CHUCK STEWART, MILLARD COUNTY SHERIFF'S OFFICE: MILLARD COUNTY SHERIFF'S OFFICE REPORT

Sergeant Chuck Stewart was not in attendance; therefore, there was no activity report given.

NEIL FORSTER, PUBLIC WORKS DIRECTOR: UNCOLLECTIBLE UTILITY ACCOUNTS

Mayor Dafoe asked Public Works Director Neil Forster to discuss with the Council a list of uncollectible utility accounts.

Neil Forster presented a list of two uncollectible utility accounts, which amount to \$147.10. Mr. Forster recommended that the accounts as listed be written off the books.

Following brief discussion, Council Member Gayle Bunker MOVED to write off the list of utility accounts in the amount of \$147.10 with the stipulation that, if at a future date, the later account desires reconnection, there be no reconnection made until account is paid in full. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

NEIL FORSTER, PUBLIC WORKS DIRECTOR: REQUEST FOR STREET LIGHT AT
200 NORTH AND RAILROAD CROSSING

Mayor Dafoe asked Public Works Director Neil Forster to discuss a request for a street light at 200 North 450 West Railroad Crossing.

Public Works Director Neil Forster reported that on June 13, 1990, a representative from Utah Department of Transportation (UDOT), a representative from Union Pacific Railroad Co.(UPRR), Council Member Robert Dekker, Attorney Richard Waddingham and himself met at the 200 North 450 West Railroad Crossing where a recent fatal accident occurred.

Mr. Forster said that at that meeting discussion was held regarding the possibility of obtaining a barrier for the railroad crossing located at 200 North 450 West. UDOT and UPRR indicated that it would be at least one year or longer before a barrier could even be considered for that railroad crossing. Also, if Delta City was approved for a barrier for that crossing, the estimated cost would be approximately \$180,000 to \$200,000 and Delta City would be required to pay 10% of the cost.

Mr. Forster also said that, at that meeting, UDOT and UPRR suggested that that crossing be illuminated with a street light. Mr. Forster said that Delta City currently has two surplus street lights and requested the Council's approval to install a street light at the 200 North 450 West Railroad Crossing with the proper illumination.

Council Member Wesley Bloomfield recommended that a Stop Sign be placed at the railroad crossing site. Mr. Forster said that the possibility of a Stop Sign was discussed; however, UDOT does not approve of Stop Signs at railroad crossings, but the City Council is the controlling factor on that issue.

Following discussion, Council Member Robert Dekker MOVED to install a street light at the 200 North 450 West Railroad Crossing as part of the Delta City Street Light System. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

The Council was not in favor of installing a Stop Sign at this time.

NEIL FORSTER, PUBLIC WORKS DIRECTOR: REQUEST TO HIRE CITY ENGINEER
FOR SUBDIVISION PLAT APPROVAL

Mayor Don Dafoe asked Public Works Director to present a request to hire an Engineer to review a Subdivision Plat.

Public Works Director Neil Forster said that an Engineer needs to be hired to review and approve a Final Plat for the Silver Sage

Subdivision and recommended that Bush & Gudgell Engineers (Delta City's formerly retained engineer) be hired for that purpose. He said that Bush & Gudgell has Delta City's records and maps on file, which should expedite the process and substantially reduce costs.

Following brief discussion, Council Member Robert Dekker MOVED to hire Bush & Gudgell Engineers to review the Silver Sage Subdivision Final Plat. The motion was SECONDED by Council Member Gayle Bunker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Brief discussion was held regarding the Delta City Subdivision Ordinance and Attorney Richard Waddingham requested Council's approval to tentatively schedule a Public Hearing to amend the Subdivision Ordinance. August 13, 1990, was tentatively scheduled for a Public Hearing.

MAYOR DON DAFOE: RESOLUTION ADOPTING DELTA CITY AMENDED BUDGET FOR FISCAL YEAR 1989-1990

Mayor Dafoe presented a copy of the Amended Budget for FY 1989-1990, as on file, to each of the Council Members.

Following discussion of the Amended Budget FY 1989-1990, Mayor Dafoe presented the following resolution:

RESOLUTION NO. 90-193

A RESOLUTION AMENDING RESOLUTION 89-184 AND THE BUDGET ADOPTED THEREBY TO PROVIDE FOR AMENDMENTS TO THE FISCAL YEAR 1989-1990 BUDGET OF THE CITY OF DELTA, UTAH, BY PROVIDING FOR AN INCREASE IN THE GENERAL FUND AKA FUND 10 OF SAID DELTA CITY BUDGET.

Following discussion, Council Member Robert Droubay MOVED to adopt Resolution No. 90-193 as presented. The motion was SECONDED by Council Member Robert Dekker. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Wesley Bloomfield	Yes
Council Member Gayle Bunker	Yes
Council Member Robert Dekker	Yes
Council Member Robert Droubay	Yes
Council Member Rex Harris	Absent

Mayor Dafoe then signed the resolution and it was attested by City Recorder Dorothy Jeffery.

BRYCE ASHBY, DELTA CITY FIRE CHIEF: FIRE STATION REPAIR AND REMODELING

Mayor Dafoe asked Fire Chief Bryce Ashby to report on a remodeling project in the Delta City Fire Station.

Chief Ashby reported that Ed Ingram was hired to remodel the Fire Station Meeting Room. He said that the remodeling project is being paid with Delta Fire Department Operation & Maintenance money received from the Millard County Fire Service District.

Chief Ashby was asked by the Council to inform them of any projects before they are started.

Discussion was held regarding Ed Ingram's business license. Mr. Ingram did not acquire a business license in 1989 and is not licensed for 1990.

Following discussion, the Council agreed to require a 1990 Business License only for Ed Ingram and to contract with Mr. Ingram on an hourly wage rate for work done on the Delta Fire Station.

Mayor Dafoe instructed Attorney Waddingham to prepare an agreement between Delta City and Ed Ingram for work done on the Delta Fire Station.

Chief Ashby informed the Council that the Delta Fire Department recently obtained a 1990 Chev Quick Response Vehicle through the Millard County Fire Service District.

BRYCE ASHBY, DELTA CITY FIRE CHIEF: REGULATIONS FOR RETAIL SALE OF FIREWORKS

Mayor Don Dafoe asked Delta City Fire Chief Bryce Ashby to discuss regulations for the retail sale of fireworks.

Attorney Richard Waddingham reviewed past procedures for obtaining permits to sell fireworks. Delta City is currently charging \$125.00 under the solicitor's license portion of the Business License Ordinance to sell fireworks in Delta City from June 20 to July 25.

Attorney Waddingham recommended that a regulatory fee be established and that an ordinance be adopted regulating the sale of fireworks within Delta City.

Discussion was held regarding the sale of fireworks inside stores. Stores are allowed to sell packaged fireworks only, and they sell fireworks under their existing business license. The Council agreed that any business selling fireworks under their current business license should be required to obtain a permit from Delta City to do so.

Discussion was also held regarding regulatory fees. Chief Ashby feels that a fee of \$300 is reasonable and justifiable, and he recommended that a fee of \$300 per stand be charged.

Mayor Dafoe instructed Attorney Richard Waddingham to draft an ordinance regarding the regulation of fireworks sales within Delta. A fee will be decided upon by the Council at a later date.

ATTORNEY RICHARD WADDINGHAM: RESOLUTION CHANGING NON-DELTA
RESIDENT LIBRARY FEES

Mayor Dafoe asked Attorney Richard Waddingham to present a resolution regarding Non-Delta Resident Library Fees.

Attorney Waddingham presented a proposed resolution entitled:

RESOLUTION NO. 90-194

A RESOLUTION OF THE CITY COUNCIL OF DELTA, UTAH REVISING
ANNUAL USER FEES FOR USE OF THE DELTA CITY LIBRARY BY
NON-DELTA CITY RESIDENTS.

Following discussion, Council Member Robert Dekker MOVED to adopt Resolution No. 90-194. Council Member Robert Droubay SECONDED the motion. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Council Member Wesley Bloomfield	Yes
Council Member Gayle Bunker	Excused
Council Member Robert Dekker	Yes
Council Member Robert Droubay	Yes
Council Member Rex Harris	Absent

Mayor Dafoe then signed the resolution and it was attested by City Recorder Dorothy Jeffery.

CITY RECORDER DOROTHY JEFFERY: RELOCATION OF PARENTING RESOURCE
CENTER TO CITY OFFICE BUILDING

Mayor Dafoe asked City Recorder Dorothy Jeffery to address the Council regarding a Parenting Resource Center.

City Recorder Dorothy Jeffery reported that Job Service is moving out of the City Office Building and will be relocating to another office building. She said that the Delta South PTA has requested permission to occupy that office space as a Parent Resource Center.

Following brief discussion, the Council was not in favor of City Office Space being used for a Parent Resource Center.

RCCM 6-25-90

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OTHER BUSINESS


Mayor Dafoe said that Millard County Administrator Robyn Pearson reported that the City Park Restroom Facility should be ready within 30 days to go to bid. Mayor Dafoe requested that Public Works Director Neil Forster get the water and sewer lines extended to the restroom location.

Brief discussion was held regarding a proposed Natural Gas Franchise. This item will be discussed on the next Regular City Council Meeting agenda.

Discussion was held regarding a copy machine for the Delta City Library. Mayor Dafoe said that a copy machine could be leased/purchased for approximately \$2,500. A software package for the Library was also discussed. The Council authorized Mayor Dafoe to make the necessary arrangements for a copy machine and for Library computer software.

Mayor Dafoe asked if there were any comments, questions or items to be discussed. There being none, Council Member Wesley Bloomfield MOVED to adjourn. The motion was SECONDED by Council Member Robert Droubay. Mayor Dafoe asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously. Mayor Dafoe declared the meeting adjourned at 8:35 p.m.


DON DAFOE, Mayor


DOROTHY JEFFERY
Delta City Recorder

MINUTES APPROVED: RCCM 9-10-90